

# Planning Commission

July 27, 2020 – 7 pm

## REGULAR MEETING AGENDA

This meeting will be held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. The public may monitor this meeting by watching on Comcast cable channel 16, by streaming on [CCXmedia.org](http://CCXmedia.org), or by calling 1-415-655-0001 and entering the meeting code 133 947 2917.

Additional information about monitoring electronic meetings is available on the [City website](#). For technical assistance, please contact the City at 763-593-8007 or [webexsupport@goldenvalleymn.gov](mailto:webexsupport@goldenvalleymn.gov). If you incur costs to call into the meeting, you may submit the costs to the City for reimbursement consideration.

1. **Call to Order**
2. **Approval of Agenda**
3. **Approval of Minutes**  
July 13, 2020, Regular Planning Commission Meeting
4. **Informal Public Hearing** – Zoning Text Amendment – Architectural and Material Standards for Mixed Use Properties  
**Applicant:** City of Golden Valley
5. **Informal Public Hearing** – Zoning Text Amendment – Revising the Density Range of the Medium Density Residential (R-3) Zoning District  
**Applicant:** City of Golden Valley
6. **Discussion** – Fences, Screening, and Garden Structures  
  
– End of Televised Portion of Meeting –  
To listen to this portion, please call 1-415-655-0001 and enter meeting access code 133 947 2917
7. **Council Liaison Report**
8. **Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals, and other meetings**
9. **Other Business**
10. **Adjournment**



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# Planning Commission

July 13, 2020 – 7 pm

## REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Planning Commission meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line. The public was able to participate in this meeting during public comment sections, by dialing the public call-in line.

### 1. Call to Order

The meeting was called to order at 7:00 by **Chair Blum**.

#### Roll Call

Commissioners present: Rich Baker, Ron Blum, Adam Brookins, Andy Johnson, Lauren Pockl, Chuck Segelbaum,

Commissioners absent: Ryan Sadeghi

Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner

Council Liaison present: Gillian Rosenquist

### 2. Approval of Agenda

**Chair Blum** asked for a motion to approve the agenda.

**MOTION** made by **Commissioner Brookins**, seconded by **Commissioner Johnson** to approve the agenda of July 13, 2020. Staff called a roll call vote and the motion carried unanimously.

### 3. Approval of Minutes

**Chair Blum** asked for a motion to approve the minutes from June 22, 2020.

**MOTION** made by **Commissioner Brookins**, seconded by **Commissioner Pockl** to approve the June 22, 2020 meeting minutes. Staff called a roll call vote and the motion carried unanimously.

### 4. Informal Public Hearing – Zoning Text Amendment

Revising the Density Range of the Medium Density Residential (R-3) Zoning District

**Applicant:** City of Golden Valley

**Jason Zimmerman, Planning Manager**, introduced this item as a required follow-up from the approved 2040 Comprehensive Plan. When Met Council approves the Comp Plan, the future land use map needs to show development patterns at certain density thresholds. This showing, ensures each community in the metro area can accommodate its share of projected growth. Once the plans are adopted, the zoning maps and text must be updated to come into alignment. **Zimmerman** displayed



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a chart for the Commissioners comparing the current zoning code to the language in the 2040 Comprehensive Plan. Most of the items align but the current R-3 code language needs updating in order to align with the 2040 Plan. **Zimmerman** expanded in greater detail and listed all the multi-family buildings to see how they matched the zoning designation; during this process, staff discovered 14 buildings that were non-conforming. After more research, staff discovered older zoning policies that lead to this non-conformity but once the R-3 language is updated, this will be remedied and the buildings would match their zoning designation. The exiting R-3 language has Density Bonuses which included underground parking, a building being near public transit, and offering a private recreation facility for its residents. Most of these items were in place when Golden Valley was developing, now that the City is built out so staff believes the density bonuses should be removed so the R-3 district will align with the other zoning districts.

#### Staff Recommendation

Amend the text of the Medium Density Residential (R-3) Zoning District to revise the allowed density range and strike the density bonus provisions.

**Commissioner Segelbaum** asked if the buildings listed were rezoned, could they be re-developed into 20 units per acre. Staff confirmed and added that they could be up to 20 units or if they were a senior building, they could be 30 units. **Chair Blum** asked staff what extent does the current PUD on any of the properties create another step in the process if there's a change in zoning. **Zimmerman** responded that if there are existing PUDs, that reigns over the zoning designation. The conversation continued into the possibilities of negotiating re-development with PUDs and PUD amendments. The discussion evolved into requirements and process for new or re-developments after re-designating the zoning.

**Chair Blum** opened the Public Hearing at 7:30pm

**Rick Gripentrog**  
**7533 Harold Ave**

*I'm curious about the area we're talking about, this area is south of Highway 55, east of Winnetka, north of Harold Ave, and west of Rhode Island Ave.*

**Zimmerman** responded to the caller and informed him that this call is referring to the second item on the agenda; the caller continued with his comments.

*I understand that you can have up to 20-30 units per acre and is this area 6 acres?*

**Zimmerman** wasn't certain as the details were not in front of him.

*I'm concerned about the density, doing this development imposes livability issues and traffic issues. This proposal was brought up before and there were similar concerns about livability and traffic then. I don't want to see 2 story apartments with underground parking, it's not conducive to good livability.*

The **Chair** opened the discussion on this item and stated underground parking doesn't need to be tied to density and it can be a nice amenity; it also may leave room for green space. This led the conversation into developing properties with the largest density and the least cost. Incentives can be useful as it leads to a more livable building for longer. **Segelbaum** expressed his concern over making

a such a large decision without a deeper dive in repercussions. The discussion moved in to projected population growth and city development as well as the Comp Plan and what that means with the approval from Met Council.

**Paula Pentel**

**941 Angelo Drive**

*Calling about the new R-3 density, this is a wonderful for the city to consider doing. It brings conformity and I don't think we need to worry about current units because they aren't going anywhere or changing. Being consistent about what we want to see moving forward, is a very good idea. I was on the Council when the area across 55 was rezoned, the various neighbors riled up and the existing Council backed down. We sit just to the west of Minneapolis and we have a great obligation to provide good density of housing.*

**Commissioner Pockl** cited attachment language on section of code 113-90, "within the principle uses under the medium density residential zoning district that 1,2,3,4 are required to be consistent with the City's mixed income housing policy" and asked how the City would be inconsistent with the mixed income housing policy. **Zimmerman** responded that the phrase was added when the policy was passed and wanted to be clear that new multi-family units were required to have a certain number of affordable units.

**Edward Chesen**

**7507 Harold Ave**

*This proposal to rezone came up 10 years ago and I was president of our townhome association and had been a member of the board of building review, I was also a caller that was riled up, but for good reason. The reasons stand today, I don't know if the Commission has considered what has happened in that area since the proposal was turned down. The developers that wanted to develop the area backed out and some smaller developers came in and developed a number of units into single family housing. There's a lot more to this than the serenity of the neighborhood. I wonder if the property owners in light of the rezoning turn down would have legal recourse to have their property zone changed again.*

**Zimmerman** added that the latest call is related to the second public hearing.

The **Chair** added that he doesn't like the idea of the City losing its leverage to make the kind of development happen that it wants to see happen, including amenities or tweaks to specific properties. **Zimmerman** said a number of Commissioners have agreed that there needs to be a way that this complies with the Comp Plan but this may not be the best approach. He added that if Commissioners are open, this item be tabled so they can find a way to comply per Met Council but create a broader list of checks and balances. **Brookins** stated his support for what's presented and believes it'll benefit Golden Valley in the long-term. He added that he'd hate to see this item go through another 10-year cycle before it's addressed again. **Commissioner Baker** stated his support for tabling the item in order to collect additional information. **Segelbaum** and **Pockl** echoed Baker's statement.

**MOTION** made by **Commissioner Baker**, seconded by **Commissioner Brookins** to table this agenda item and discuss at a later meeting with additional information. A roll call vote was made and passed unanimously.

**5. Informal Public Hearing – Zoning Map Amendments**

Rezoning Properties to Achieve Conformance with the 2040 Comprehensive Plan

**Applicant:** City of Golden Valley

**Jason Zimmerman, Planning Manager**, stated the request to continue rezoning properties in order to conform with the Future Land Use Map in the 2040 Comp Plan. Staff reminded Commissioners that this started with the rezoning of the I-394 Mixed Use properties. A map was then displayed of the existing zoning map and the future land use map, in order to illustrate how rezoning will take place as the City comes into conformity with the comp plan.

**Zimmerman** expressed that there are NO active development proposals for any properties that are currently under consideration for rezoning, this item is strictly administrative.

There are six groups being addressed in this rezoning and includes 18 properties. Majority of them are being rezoned to match what is currently on the ground. A few are being rezoned in anticipation of future plans.

Group 1

9201 Olson Memorial Highway 8900 Betty Crocker Drive	<b>Rezoning Office to Institutional Subdistrict I-4</b>
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Group 2

1 General Mills Boulevard	<b>Rezoning Industrial District to Office District</b>
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Group 3

7831 Olson Memorial Hwy 7830 Harold Ave 440 Winnetka Ave N 7732 Harold Ave 424 Winnetka Ave N	7724 Harold Ave 400 Winnetka Ave N 7720 Harold Ave 7840 Harold Ave 411 Rhode Island Ave N	<b>Rezoning Single-Family Residential (R-1) Medium Density Residential (R-3)</b>
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Any development proposals in this area would require a traffic study.

Group 4

5635 Glenwood Ave 5701 Glenwood Ave	<b>Rezoning Single-Family Residential (R-1) to Medium Density Residential (R-3)</b>
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Group 5

501 Theodore Wirth Parkway	<b>Rezoning High Density Residential (R-4) to Medium Density Residential (R-3)</b>
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Group 6

5073 Wayzata Boulevard	<b>Office to Commercial</b>
1513 Utica Ave S	<b>Office to High Density Residential (R-4)</b>

**Zimmerman** closed his presentation by stating State statute requires all zoning designations to be consistent with the land uses identified in the Comp Plan within nine months of adoption. If the City chooses not to rezone any of these properties, the Future Land Use Map would need to be amended with the Met Council.

Staff Recommendation

Following the provisions of State statute (sec. 473.858, subd. 1) and the requirements of the Metropolitan Council with respect to comprehensive planning, staff recommends the 18 identified properties be rezoned as indicated.

**Commissioner Pockl** asked if some of the groups could be approved and others tabled, considering the previous agenda item was tabled. Staff said each group could be looked at separately and approved or tabled.

**Chair Blum** opened the public hearing at 8:24pm.

**Tina Prokosch**

**7601 Harold Ave**

*I'm calling about group three, was this considered to be rezoned to an R-2? That would align with the other areas around here are an R-2 zoning and I'm concerned what an R-3 zoning will do to this area.*

**Martha Johnson**

**7647 Harold Ave**

*Why does Golden Valley seem to think rezoning group three is beneficial? The answer cannot be to increase density as I believe Golden Valley has met our density requirement. It would appear rezoning this area is out of character with surrounding areas.*

**Colin**

**7511 Harold**

*Calling in general support of the rezoning movement across the city and specifically related to the Winnetka and 55 intersection. I think there are a lot of city infrastructure that can support that type of development. If we're going to be a sustainable and economically viable city, we need to be progressive see these types of changes as good.*

The **Chair** asked staff if the area was considered for R-2 designation. **Zimmerman** showed a map and said that during Planning Commission meetings, the lots addressed were not considered for R-2 as those are small single-family lots or duplexes. The discussion moved into the number of units per acre, building size limits, storm water regulations, and open space requirements.

**Eric Pederson**

**130 Louisiana Ave N**

*A giant building on the intersection of Harold and Winnetka would make an already busy traffic area, a disaster when Covid ends. Not to mention I think we've done a good job building high density housing, including the monstrosity on Xenia that seems to be taking 5 years to build. My point is that we had an organized group 9 years ago, we gathered hundreds of signatures against a 5-story building in our neighborhood when nothing is taller than really 2 stories. I would ask you to see notes from this time and we were told no developments on Rhode Island and this neighborhood would occur and it had to be re-zoned to be re-developed. The area stayed as R-1 and R-2 and houses were built there. This area should remain R-2 to stay consistent with the neighborhood. We will organize again to prevent this re-zoning.*

**Tara Fini**

**7517 Harold Ave**

*I support the ordinance, we live in very nice area; the city has a lot to offer in terms of multi-family housing that isn't an eyesore. Maybe the city should do work to help residents understand what the project is and what it isn't. Doesn't seem like there's enough understanding of what this will look like.*

Commissioners discussed this item and the history of it as it was brought up by callers.

**Commissioner Segelbaum** stated he'd approve the groups but wants to look closer at group three before deciding. **Commissioner Pockl** echoed this and wants to discuss more details around group three. **Commissioner Brookins** stated his support of all the groups but would leave group 5 as a R-4, he doesn't see a change occurring. The Chair asked staff what their direction is. **Zimmerman** stated the Council would like a recommendation but group three can be tabled for further discussion.

**MOTION** made by **Commissioner Segelbaum** and seconded by **Commissioner Pockl** to approve the rezoning designations for groups 1,2,4,5,6. A roll call vote was made and passed unanimously.

**MOTION** made by **Commissioner Segelbaum** and seconded by **Commissioner Brookins** to table the designations relative to group 3 for further discussion. A roll call vote was made and passed unanimously.

**6. Discussion – Architectural and Material Standards for Mixed Use Properties**

**Jason Zimmerman, Planning Manager**, reminded the group that when the City adopted architectural and material standards for new developments in the R-3, R-4, Commercial, Office, Institutional, Light

Industrial, and Industrial zoning districts; the Mixed-Use district had not been finalized or adopted. This discussion will be to revisit the regulations that were adopted previously and to begin to outline the parameters for standards in the Mixed-Use zoning district. Details regarding the elements are in the memo. **Chair Blum** stated he recalls the conversation, likes the list, and supports the need for consistency. **Commissioners Brookins, Segelbaum, and Pockl** echoed the Chair's statement.

## 7. Discussion – Fences, Screening, and Garden Structures

**Myles Campbell, Planner**, stated that last year staff identified a number of areas in which the existing code language regarding screening, and specifically fencing, could be improved upon. **Campbell** expanded that the revisions are largely based on resident feedback and observed patterns in how properties are utilizing fences and garden structures. The three items addressed surround arterial road fence height exceptions, garden structures, and public safety screening exceptions.

### Arterial Road Fence Height Exception

Current zoning code for residential properties limits the height of fences to 4 feet in the front yard of homes. Fences up to 6 feet in height are allowed in rear and side yards, this allows for some privacy between properties and to mitigate the carrying of noise. There is an existing exception for front yard fences to extend beyond 4 feet in height and is based upon the property's proximity to a major roadway. A large number of variance requests have come before the BZA for properties that do not adjoin a minor arterial, but which are separated by a frontage road from a large principal arterial roadway. These properties experience similar or greater noise impacts and still need to pursue variances. Calculating the number of variance requests, and that these requests are almost unanimously found to be reasonable, staff feels a new exception should be included in the code for homes that are adjacent to or directly across a frontage road from a principal arterial. Specific language to follow.

**Chair Blum** asked if ROW plantings could be put in place instead of taller fences. **Campbell** recalled a variance that utilized fencing and plantings but a greater conversation could occur. However, many plantings won't create enough mitigation for residents. Most of these examples are facing highways or frontage roads, the fences generally won't face neighbors or other houses.

### Garden Structures

In both the R-1 and R-2, garden structures are required to be no less than 5 feet from any property line, including the front property line, and the garden structure shall not exceed 10 feet in height. This was to allow these structures in front yards to provide decorative accents to residents' gardens and landscaping, and to make a delineation between these structures and sheds or detached garages. Recently, staff noticed the use of substantial garden structures to provide screening above the allowed 6 feet of fencing in residential neighborhoods. Staff is seeking some discussion and feedback from the Commission on what action they'd like to take.

**Chair Blum** asked if the structure's primary use is to screen, should it be removed from the code. However, there's a wide range of interpretation and altering dimensions of the structure may be

more concrete than stating a primary use. The conversation continued around possible dimension and location restrictions, and how restrictive language should be regarding a specific number or a certain percentage of the lot size.

#### Public Safety Screening Exception

For Commercial and Industrial properties, the City has strict restrictions on screening the property and any outdoor storage. The goal was to promote greater cleanliness and order within the City's Commercial and Industrial districts. Recently, the Chief of Police raised an unintended consequence of these stringent screening requirements. An outdoor storage facility opening in the City applied for a fence permit, and presented a plan that would meet the City's requirements; however, Police asked if a portion of the screening requirement could be waived or reduced along the main street-side of the property due to safety monitoring. Staff feels that while one of the central tenants of the zoning code is to promote the welfare of the City and its property owners, another equally important consideration is the safety of the City. Staff's initial thought is to treat this exception as an administrative decision given that the decision to reduce the screening may be based upon different sets of circumstances.

### **Televised portion of the meeting concluded at 9:37 pm**

#### **8. Council Liaison Report**

**Council Member Rosenquist** reported that the agreement for Phase III of the Downtown Study was approved by the City Council. Work will begin over the summer and continue into the fall. The Council also accepted a bench donation from the family of Lisa Wittman. **Rosenquist** gave a preview of the upcoming Council/Manager meeting which will focus on issues of equity and policing. She encouraged Commissioners to visit the Mapping Prejudice website to see how the use of racially restricted covenants spread across Golden Valley.

#### **9. Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals, and other meetings**

#### **10. Other Business**

#### **11. Adjournment**

**MOTION** by **Commissioner Brookins** to adjourn, seconded by **Commission Baker**, and approved unanimously. Meeting adjourned at 9:47 pm.

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Adam Brookins, Secretary

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Amie Kolesar, Planning Assistant



**MEMORANDUM**  
**Physical Development Department**  
763-593-8095 / 763-593-8109 (fax)

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**Date:** July 27, 2020  
**To:** Golden Valley Planning Commission  
**From:** Jason Zimmerman, Planning Manager  
**Subject:** Informal Public Hearing – Architectural and Material Standards for Mixed Use Properties

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**Summary**

In 2019, the City adopted architectural and material standards for new developments in the R-3, R-4, Commercial, Office, Institutional, Light Industrial, and Industrial zoning districts. These regulations addressed many aspects of building façades, opening, entrances, and screening, as well as the types of materials allowed in construction. At that time, the new Mixed Use zoning district had not been finalized or adopted, so no architectural or material standards were included for that district. With the adoption of the Mixed Use district early in 2020, it is now necessary to amend the architectural and material standards section of code in order to address buildings that may be developed in those areas.

The Planning Commission discussed Mixed Use standards briefly at its July 13 meeting and was comfortable moving forward with the regulations below.

**Material Standards**

Exterior materials were divided into the following classes:

- 
- |                 |   |
|-----------------|---|
| <b>Class I</b>  | Brick<br>Natural stone<br>Glass<br>Copper<br>Porcelain<br>Other materials not listed elsewhere as approved by the City Manager or his/her designee or as recommended by the Planning Commission |
| <b>Class II</b> | Masonry/textured cement stucco<br>Specialty concrete block<br>Architecturally textured concrete precast panels<br>Artificial stone  |
-

	Artificial stucco Fiber reinforced cement board siding Prefinished metal Cast-in-place concrete Other materials not listed elsewhere as approved by the City Manager or his/her designee or as recommended by the Planning Commission
<b>Class III</b>	Unpainted or surface painted concrete block Unpainted or surface painted plain or ribbed concrete panels Unfinished or surface painted metal Wood Glass block Other materials not listed elsewhere as approved by the City Manager or his/her designee or as recommended by the Planning Commission
<b>Prohibited</b>	Sand lime brick Concrete brick Unfinished structural clay tile Exposed unfinished concrete

For each zoning district, the following standards were set, with a minimum of at least two Class I materials being incorporated into each façade.

Zoning District	Front façades, side and rear façades visible from the public right-of-way	Side and rear façades not visible from the public right-of-way
<b>R-3, R-4</b>	<ul style="list-style-type: none"> <li>▪ At least 50 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>	<ul style="list-style-type: none"> <li>▪ At least 40 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>
<b>Commercial, Office, Institutional</b>	<ul style="list-style-type: none"> <li>▪ At least 50 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>	<ul style="list-style-type: none"> <li>▪ At least 40 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>
<b>Light Industrial, Industrial</b>	<ul style="list-style-type: none"> <li>▪ For façades that face Residential, Commercial, Office, Institutional, or Mixed Use zoning district – at least 50 percent Class I</li> <li>▪ All other front façades – at least 40 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>	<ul style="list-style-type: none"> <li>▪ At least 30 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>

Staff believes the Mixed Use zoning district is most comparable to the Commercial, Office, and Institutional zoning districts and therefore recommends similar standards.

Zoning District	Front façades, side and rear façades visible from the public right-of-way	Side and rear façades not visible from the public right-of-way
<b>Mixed Use</b>	<ul style="list-style-type: none"> <li>▪ At least 50 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>	<ul style="list-style-type: none"> <li>▪ At least 40 percent Class I</li> <li>▪ No more than 10 percent Class III</li> </ul>

### Architectural Standards

Regulations were created for each zoning district around façades, openings, entrances, and screening.

#### Façades

Façades greater than 40 feet in length shall be visually articulated into smaller intervals by:

1. Stepping back or extending forward a portion of the façade
2. Providing variation in materials, texture, or color
3. Placement of doors, windows, and balconies

Buildings shall have a defined base, middle, and top, and employ elements that relate to the human scale and appeal to pedestrians, such as doors and windows, projections, or awnings and canopies. A middle is not required on a one-story building.

#### Openings

*For all zoning districts*

Views into and out of the building shall be provided to enliven the streetscape and enhance security. Window and door openings shall be clear or slightly tinted to allow unobstructed views into and out of buildings. Spandrel glass may be used in service areas. Window shape, size, and patterns shall emphasize the intended organization and articulation of the building façade.

*R-3, R-4*

On the ground floor, window and door opening shall comprise:

##### Residential use

- 20 percent of area of the front façade
- 15 percent of area of the side and rear façades

##### Nonresidential use

- 60 percent of the length of the front façade
- 30 percent of area of the front façade
- 20 percent of area of the side and rear façades

On upper stories, window and door openings shall comprise:

- 15 percent of façade area

*Commercial, Office, and Institutional*

On the ground floor, window and door opening shall comprise:

- 60 percent of the length of the front façade
- 30 percent of area of the front façade

20 percent of area of the side and rear façades

On upper stories, window and door openings shall comprise:

20 percent of façade area

*Light Industrial, Industrial*

On the ground floor, window and door openings shall comprise:

30 percent of area of the front façade

15 percent of the area of the side and rear façades

On the upper stories, window and door opening shall comprise:

20 percent of area of façade area

Entrances

Building entrances shall be provided on the primary street on which the building fronts, in addition to any entrances from rear or side parking areas. Street entrances shall be lighted and defined by means of a canopy, portico, recess, or other architectural details.

Screening

Utility service structures (such as utility meters, utility lines, and transformers), refuse and recycling containers, loading docks, maintenance structures, and other ancillary equipment must be inside a building or be screened from off-site views. Overhead doors shall be located on side or rear façades that do not front a public right-of-way. Rooftop equipment shall be screened from view from the public right-of-way by a parapet wall or a fence the height of which extends at least one foot above the top of the rooftop equipment and is compatible with exterior materials and architectural features of the building.

Since buildings in the Mixed Use district could produce a variety of residential and nonresidential uses on ground and upper floors, staff believes a combination of the window and door (opening) requirements from the categories above is consistent with vision of the City.

*Mixed Use*

On the ground floor, window and door opening shall comprise:

Residential use

20 percent of area of the front façade

15 percent of area of the side and rear façades

Nonresidential use

60 percent of the length of the front façade

30 percent of area of the front façade

20 percent of area of the side and rear façades

On the upper stories, window and door opening shall comprise:

Residential use

15 percent of façade area

Nonresidential use

20 percent of façade area

**Recommendation**

Staff recommends the City Code text within Section 113-157: Architectural and Material Standards be amended to include standards for properties zoned Mixed Use as detailed in the attached document.

**Attachment**

Additional Language for Section 113-157: Architectural and Material Standards (2 pages)

## DRAFT Language for Section 113-157: Architectural and Material Standards

[...]

### (f) *Mixed Use Zoning District.*

#### (1) *Architectural.*

- a. *Façades.* Façades greater than 40 feet in length shall be visually articulated into smaller intervals by:

1. Stepping back or extending forward a portion of the façade
2. Providing variation in materials, texture, or color
3. Placement of doors, windows, and balconies

Buildings shall have a defined base, middle, and top, and employ elements that relate to the human scale and appeal to pedestrians, such as doors and windows, projections, or awnings and canopies. A middle is not required on a one-story building.

- b. *Openings.* Views into and out of the building shall be provided to enliven the streetscape and enhance security. Where residential uses occupy the ground floor level, window and door openings shall comprise at least 20 percent of the area of the ground floor façade facing the primary street. Window and door openings shall comprise at least 15 percent of the area of the side and rear ground floor façades.

Where nonresidential uses occupy the ground floor level, window and door openings shall comprise at least 60 percent of the length of the front façade and at least 30 percent of the area of the ground floor façade facing the primary street. Window and door openings shall comprise at least 20 percent of the areas of the side and rear ground floor façades.

On upper stories, windows shall comprise at least 15 percent of the façade area for residential uses and 20 percent of the façade area for nonresidential uses.

Window and door openings shall be clear or slightly tinted to allow unobstructed views into and out of buildings. Spandrel glass may be used in service areas. Window shape, size, and patterns shall emphasize the intended organization and articulation of the building façade.

- c. *Entrances.* Building entrances shall be provided on the primary street on which the building fronts, in addition to any entrances from rear or side parking areas. Street entrances shall be lighted and defined by means of a canopy, portico, recess, or other architectural details.
- d. *Screening.* Utility service structures (such as utility meters, utility lines, and transformers), refuse and recycling containers, loading docks, maintenance structures, and other ancillary equipment must be inside a building or be screened from off-site views. Overhead doors shall be located on side or rear façades that do not front a public right-of-way. Rooftop equipment shall be screened from view from the public right-of-way by a parapet wall or a fence the height of which extends at least one foot above the top of the rooftop equipment and is compatible with exterior materials and architectural features of the building.

(2) *Materials.*

- a. Front façades, and side and rear façades visible from the public right-of-way, shall be composed of at least 50% Class I materials and no more than 10% Class III materials.
- b. Side and rear façades not visible from the public right-of-way shall be composed of at least 40% Class I materials and no more than 10% Class III materials.
- c. Each façade must utilize a minimum of two types of Class I materials.



**MEMORANDUM**  
**Physical Development Department**  
 763-593-8095 / 763-593-8109 (fax)

**Date:** July 27, 2020  
**To:** Golden Valley Planning Commission  
**From:** Jason Zimmerman, Planning Manager  
**Subject:** Continued Informal Public Hearing – Zoning Text Amendment – Revising the Density Range of the Medium Density Residential (R-3) Zoning District

**Summary**

With the adoption of the City’s 2040 Comprehensive Plan in February of 2020, Golden Valley committed to considering certain zoning text amendments in order to fulfill policy objectives included in the document. One such revision is to the density range allowed within the existing Medium Density Residential (R-3) Zoning District.

**Background**

On July 13, the Planning Commission considered changes being proposed by staff to address the misalignment of the R-3 density range in the Zoning Chapter and that adopted in the Comp Plan (see table below). Staff had recommended increasing the upper end of the allowed density range to 20 units per acre for multi-family projects and 30 units per acre for senior/disability housing. Staff also advocated for simplifying the calculations by eliminating the existing density bonuses.

2040 Comprehensive Plan	Zoning Code (existing)
<i>Low Density Residential</i> Up to 5 units per acre	<i>Single Family (R-1)</i> 1 unit on a minimum 10,000 square feet lot or about 4 units per acre
<i>Moderate Density Residential</i> 5 to 8 units per acre	<i>Moderate Density (R-2)</i> Up to 8 units per acre
<i>Medium Density Residential</i> 8 to 30 units per acre	<i>Medium Density (R-3)</i> Maximum of 10 units per acre or 12 units per acre with a density bonus Maximum of 20 units per acre for senior/disability housing with a CUP
<i>High Density Residential</i> 20 to 100 units per acre	<i>High Density (R-4)</i> Maximum of 50 units per acre or 70 units per

	acre for senior/disability housing Maximum of 100 units per acre with a CUP
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During discussion, Commissioners expressed concerns that a “by-right” increase of the density range could have negative impacts for some properties near those zoned R-3 that are currently at the low end of this range, as they would have the biggest potential to increase in intensity. There was also a request to better understand the context of each of the current multi-family properties.

To that end, staff has attached a map calling out all of the current R-3 zoned properties and has included an updated table with information for each.

**Analysis**

One key metric that was approved in the land use section of the Comprehensive Plan is that Medium Density Residential land use is meant to include densities of up to 30 units per acre. At least two possible solutions exist to address the concerns of the Commissioners. First, the land use table in the Comp Plan could be amended (with the approval of the Met Council) to max out at a lower density. Alternatively, additional review and approval – through a Conditional Use Permit process – could be required in order to allow developments to reach the higher ends of these density ranges.

Option 1, amending the Comp Plan, would allow the City to leave the R-3 densities ranges as they are but would result in 14 to 20 R-3 zoned properties being deemed non-conforming, as the existing densities already exceed what current code allows. This route also leaves a relatively narrow window for medium density properties to fill, while the range of high density properties is quite large.

Option 2, increasing the density caps but utilizing a Conditional Use Permit process, would allow the City to retain tighter review and approval of projects on the upper end of the R-3 range and to potentially impose conditions related to traffic, height, parking, massing, and other impacts, while still meeting the requirements of the Comp Plan.

Looking at the current R-3 zoned properties, most are located along highways or major arterials – the biggest exception being the Wesley Commons/Mallard Creek/Valley Square development along Golden Valley Road in the downtown area. These locations are beneficial in that they tend to be on the edges of single-family neighborhoods and there should be sufficient access and capacity for any future increases in traffic.

The handful of R-3 properties that currently have very low densities are all located on major roadways:

- Golden Valley Townhomes – 2120 Douglas Drive
- Skyline Plaza – 7400 Olson Memorial Hwy
- Golden Valley Road Apartments (previously Westbrook Manor) – 6200 Golden Valley Road

Most of the R-3 properties that are currently in the middle of the density range are also located on major roadways – the exceptions being the West End Apartments (on Yosemite Circle) and perhaps the Crossroad Apartments (at Glenwood and Xenia Aves).

R-3 zoned properties that are currently within PUDs already have an extra layer of review built in due to the process for amending a PUD, which would require City approval before an increase in density would be allowed.

**Recommendation**

In order to address the concerns of the Planning Commission, staff is recommended pursuing Option 2 and modifying the density ranges in the R-3 zoning district to allow by-right development of multi-family buildings up to 15 units per acre and up to 20 units per acre through a CUP. Senior and disability housing would be allowed by-right up to 20 units per acre and up 30 units per acre through a CUP (see table below). Staff continues to recommend removing the three density bonus provisions in the code so as to simplify regulations.

2040 Comprehensive Plan	Zoning Code (proposed)
<i>Low Density Residential</i> Up to 5 units per acre	<i>Single Family (R-1)</i> 1 unit on a minimum 10,000 square feet lot or about 4 units per acre
<i>Moderate Density Residential</i> 5 to 8 units per acre	<i>Moderate Density (R-2)</i> Up to 8 units per acre
<i>Medium Density Residential</i> 8 to 30 units per acre	<i>Medium Density (R-3)</i> Maximum of 15 units per acre or 20 units per acre with a CUP For senior/disability housing, maximum of 20 units per acre or 30 units per acre with a CUP
<i>High Density Residential</i> 20 to 100 units per acre	<i>High Density (R-4)</i> Maximum of 50 units per acre or 70 units per acre for senior/disability housing Maximum of 100 units per acres with a CUP

Staff recommends amending the text of the Medium Density Residential (R-3) Zoning District to increase the maximum densities allowed as detailed in the attached document.

**Attachments**

Map of R-3 Properties (1 page)

Table of R-3 Zoned Properties (1)

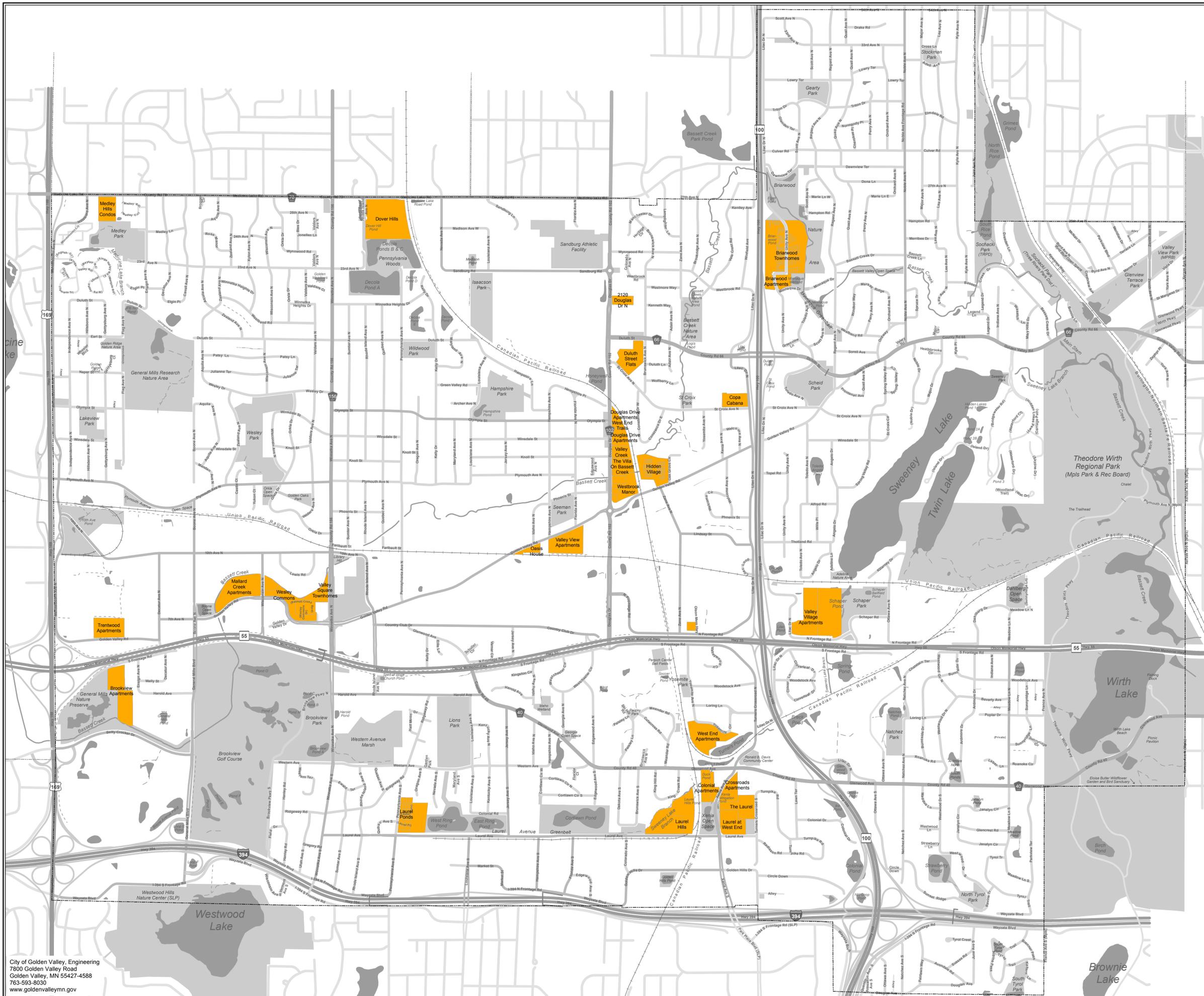
Density of Development Examples (4 pages)

Underlined/Overstruck Language for Sec. 113-90: Medium Density Residential (R-3) Zoning District (2 pages)

## R-3 Properties

### Zoning

 (R-3) Medium Density Residential



Print Date: 7/22/2020  
Sources:  
-Hennepin County Surveyors Office for  
Property Lines (2020)  
-City of Golden Valley for all other layers.



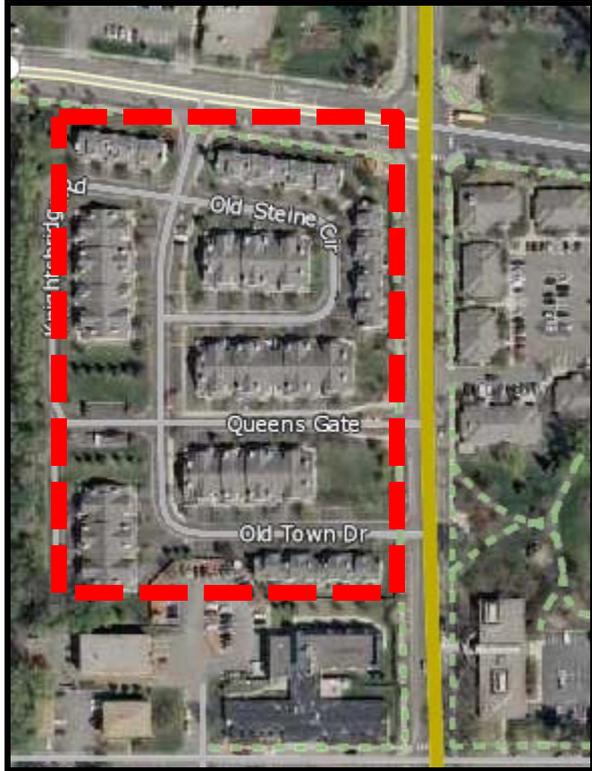
## R-3 Zoned Properties

Development	Location	Acres	Units	Density	PUD	Current Zoning	Proposed Zoning
Golden Valley Townhomes	2120 Douglas Drive	1.52	8	5.3		R-3	R-3
Briarwood	2300-2561 Unity Ave N	18.24	128	7.0	Yes	R-3	R-3
Skyline Plaza	7400 Olson Memorial Hwy	1.95	14	7.2		R-4	R-3
Laurel Ponds		3.3	24	7.3	Yes	R-3	R-3
Golden Valley Road Apartments	6200 Golden Valley Road	2.43	20	8.2		R-3	R-4
Laurel Hills	59001/6051 Laurel Ave	10.92	102	9.3	Yes	R-3	R-3
Brookview Condominiums	9141/9143/9145/9147 Olson Memorial Hwy	7.16	71	9.9	Yes	R-3	R-3
Colonial Apartments	5743/5745/5747 Glenwood Ave	3.59	36	10.0	Yes	R-3	R-3
Hidden Village	6000-6196 Golden Valley Road	6.1	62	10.2	Yes	R-3	R-3
Sourthwirth Park	501 Theodore Wirth Parkway	5.78	60	10.4		R-4	R-3
Duluth Street Flats	6150 St. Croix Ave N	4.77	51	10.7		R-3	R-3
Trentwood Apartments	9110/9140/9200/9210/9240 Golden Valley Rd	4.79	54	11.3		R-3	Mixed Use
West End Apartments	241/251/261/271 Yosemite Circle	6.77	79	11.7		R-3	R-3
Crossroad Apartments	5601 Glenwood Ave	2.9	35	12.1		R-3	R-3
Valley View Apartments	6533 Golden Valley Road	5.81	72	12.4		R-3	R-3
Laurel at West End	5610 Laurel Ave	4.44	65	14.6	Yes	R-3	R-3
Medley Hills Condos	9201/9225 Medicine Lake Road	3.42	54	15.8	Yes	R-3	R-3
Mallard Creek	8300/8400 Golden Valley Road	7.67	124	16.2	Yes	R-3	R-3
Valley Village Apartments*	600 Lilac Drive N	6.66	112	16.8		R-3	R-3
Stonehaven Apartments	1400/1450/1500/1600 Douglas Drive	3.44	58	16.9		R-3	R-3
Villas on Bassett Creek	1350 Douglas Drive	2.79	48	17.2		R-3	R-3
Copa Cabana	1725 Lilac Drive N	2.78	49	17.6		R-3	R-3
Wesley Commons	7930/8010/8100/8250 Golden Valley Road 620/625 Wesley Commons Dr 750 Wisconsin Ave N	7.56	132	17.5	Yes	R-3	R-3
Dover Hills	2400 Rhode Island Ave N	13.22	234	17.7	Yes	R-3	R-3
Valley Square Townhomes	749 Winnetka Ave N	1.28	25	19.5	Yes	R-3	R-3
The Laurel	250 Turners Crossroad S	4.36	86	19.7		R-3	R-3
Valley Creek West	1370 Douglas Drive	1.83	36	19.7		R-3	R-3



Density of  
Development

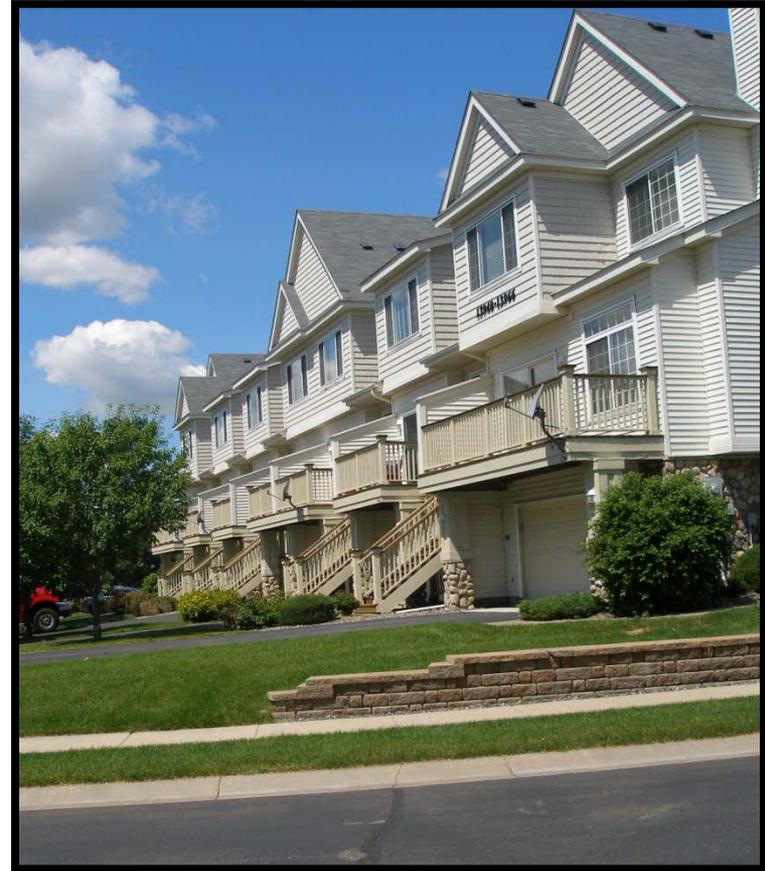
# Suburban 10 units per acre





Density of  
Development

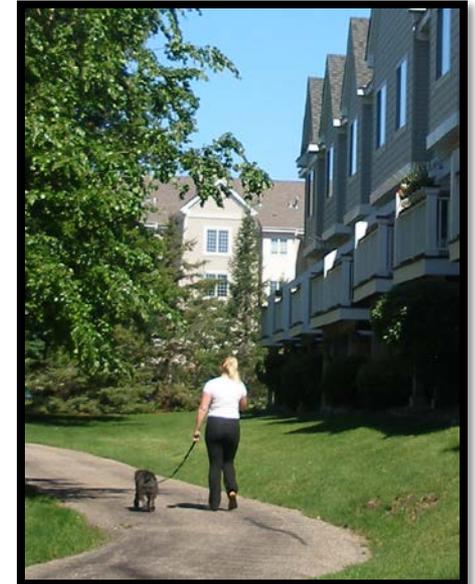
# Suburban 15 units per acre





Density of  
Development

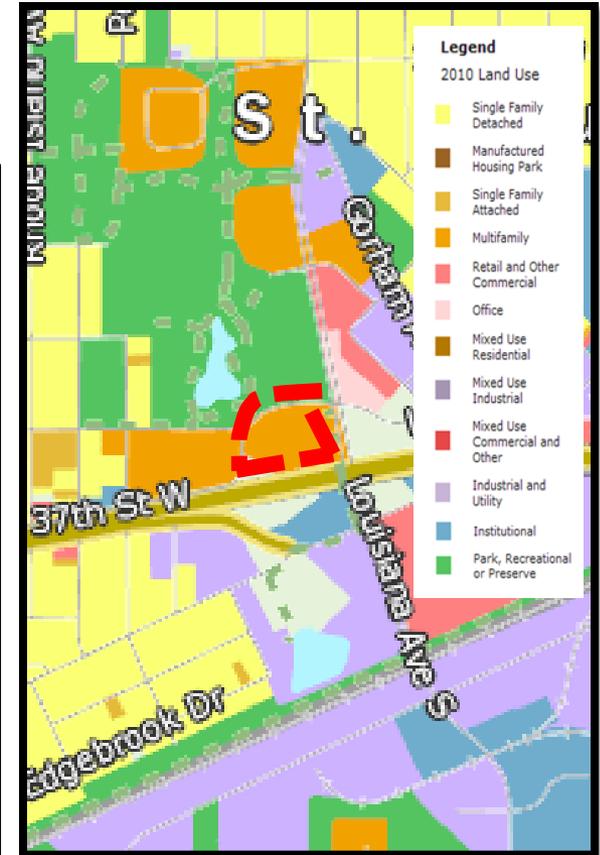
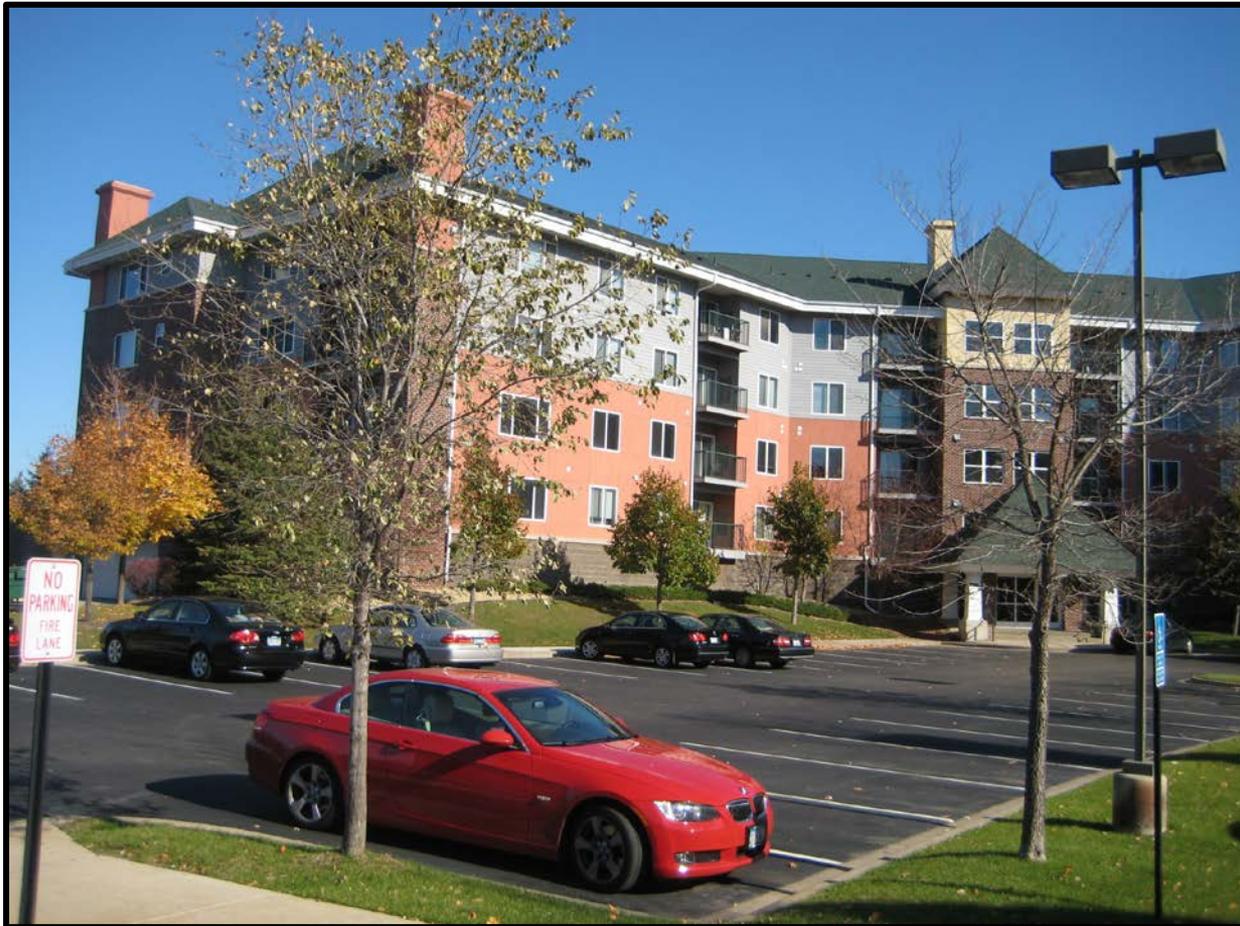
**Suburban 18 units per acre**





Density of  
Development

# Suburban 25 units per acre



**Sec. 113-90. - Medium Density Residential (R-3) Zoning District.**

(a) *Purpose.* The purpose of the Medium Density Residential (R-3) Zoning District is to provide for medium density housing (up to ~~15-10~~ 15-10 units per acre for multifamily dwellings and up to 20 units per acre with a conditional use permit ~~with potential for 12 units per acre with density bonuses~~) along with directly related and complementary uses. Senior and disability housing is permitted to a density of 20 units per acre and up to 30 units per acre ~~or up to five stories or 60 feet in height~~ with a conditional use permit.

[...]

(c) *Principal Uses.* The following principal uses shall be permitted in the R-3 Zoning District:

- (1) Townhouses, consistent with the City's Mixed-Income Housing Policy
- (2) Two-family dwellings, consistent with the City's Mixed-Income Housing Policy
- (3) ~~Multiple-family dwellings of up to 15-10 units or less per acre with the potential of 12 units per acre with density bonuses~~, consistent with the City's Mixed-Income Housing Policy
- (4) Senior and disability housing up to ~~20-10~~ 20-10 units per acre ~~with the potential for 12 units per acre with density bonuses~~, consistent with the City's Mixed-Income Housing Policy
- (5) Foster family homes
- (6) Group foster family homes
- (7) Residential facilities serving up to 25 persons; and
- (8) Essential services, Class I.

[...]

(e) *Conditional Uses.* The following conditional uses may be allowed after review by the Planning Commission and approval by the City Council in accordance with the standards and procedures set forth in this chapter:

- (1) Multi-family dwellings to a density of 20 units per acre, consistent with the City's Mixed-income Housing Policy
- (2) Senior and physical disability housing to a density of ~~30-20~~ 30-20 units per acre, consistent with the City's Mixed-Income Housing Policy ~~or~~
- (3) Senior and physical disability housing up to five stories or 60 feet in height
- (4) Residential facilities serving more than 25 persons; and
- (5) Retail sales, Class I and II restaurants, and professional offices within principal structures containing at least 20 dwelling units when located upon any minor arterial or major collector street. Any such sales, restaurant, or office shall be located only on the ground floor and have direct access to the street.

~~(f) *Density Bonus.* Multifamily dwellings that provide City required sidewalks shall be granted one of the following density bonuses provided the corresponding conditions are met:~~

~~(1) *Underground Parking.* The provision of one or more underground parking stall per dwelling unit shall increase the maximum allowable density by two units per acre.~~

~~(2) *Public Transit.* Scheduled public transit route within 1,000 feet of the primary entrance accessed by public sidewalk shall result in an increase in the maximum allowable density by one unit per acre.~~

~~(3) *Recreation.* Indoor or outdoor recreation facilities such as swimming pools, porches, tennis courts, or other facilities requiring a substantial investment equaling at minimum five percent of the construction cost of the principal structure shall increase the maximum allowable density by two units per acre.~~



**MEMORANDUM**  
**Physical Development Department**  
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**Date:** July 27, 2020  
**To:** Golden Valley Planning Commission  
**From:** Myles Campbell, Planner  
**Subject:** Discussion – Fences, Screening, and Garden Structures

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**Summary**

In the previous year, staff identified a number of areas in which the existing code language regarding screening, and specifically fencing, could be improved upon. Additionally, staff would like to reinforce and clarify some aspects of the zoning language around garden structures.

The purpose for this discussion will be to introduce the proposed revisions as well as the initial draft language for each.

**Arterial Road Fence Height Exception**

The current zoning code language for residential properties limit the height of fences to 4 ft. in the front yard of homes. Homes abutting a minor arterial are allowed to go up to 6 ft. in height as part of an exception in § 113-152, Subd. (d)(2).

Recently, a number of properties that abut a frontage road for Principal Arterials have applied for variances for 6 ft. fences. Because these properties do not directly abut the arterial (separated by a frontage road) These properties do not qualify for the exception. These properties still see similar if not greater noise and nuisance impacts than those that abut a minor arterial street, and so staff suggests the following amendment to § 113-152, Subd. (d)(2)

*A wall or fence not exceeding six feet in height is permitted in the front yard of all properties directly adjoining a minor arterial street or adjoining the frontage road of a principal arterial, freeway or expressway; as designated by the City.*

Staff kept the verbiage the same, using *adjoin*, as the word here seem deliberate to show that the height exception applies only to those front yards that connect to the arterial or frontage road. This exception would not apply on the side of a corner lot not facing the arterial. The term “frontage road” has also already been defined in another section of City Code, § 109-1. – Definitions, regarding the definitions related to subdivisions. Frontage road is defined there as:

*A street which is parallel to and close to arterial streets and highways and which provides access to abutting properties and protection from through traffic.*

Given this definition and the phrasing of “adjoining the frontage road of a principal arterial, freeway, or expressway” staff feels this language is clear and would apply only to cases of those frontage roads parallel to Interstate 394, US Highway 169, Highway 100, and Highway 55.

### **Public Safety Screening Exception**

Recently, an outdoor storage facility opening in the City applied for a fence permit, and presented a plan that would meet the City’s requirements for the screening of such a facility. However, Police requested a portion of the screening requirement be waived or reduced along the main street-side of the property. This was requested so that police could still monitor the internal site for any criminal activity.

In order to allow for this type of exception in the future, staff is suggesting the addition of a new exception to § 113-152, Subd. (d) of the Screening and Outdoor Storage chapter.

*A portion of the required screening for properties in the Commercial, Light Industrial, and Industrial Zoning Districts may be waived for enhanced security and public safety purposes at the discretion of the City Manager or his/her designee, and only upon request by the Golden Valley Police Department*

### **Garden Structures**

In 2010, the zoning code was modified to define “garden structures” and establish a new set of restrictions to their location and design, separate from other types of accessory structures. These structures were considered primarily decorative in nature and were allowed to be in front yards with reduced setbacks, to allow for their potential use as landscaping elements. However, there have been a handful of recent cases in which the more lenient restrictions have been utilized to create additional screening and obstruction between properties.

Staff would like to find a balance between still allowing for these structures to be freely utilized as decorative elements, but also ensuring their use is not detrimental to neighboring properties and the character of the City’s residential districts.

Staff reviewed the zoning code language of neighboring communities and found that Garden Structures are not commonly defined or highlighted in code. Most communities appear to treat these structures as similar to other detached accessory structures such as garages or sheds. Where garden structures were mentioned, more often it referred to greenhouses and gazebos, which were not considered to be “garden structures” in our own code when it was drafted in 2010.

City	Garden Structure Defined?	Zoning Requirements
<b>Edina</b>	No. Gazebos, greenhouses, and garden houses defined under accessory structures.	Similar to detached garages for lot cover, height and setbacks.
<b>St. Louis Park</b>	<i>Gardening and other horticultural uses and Decorative landscape features including but not limited to pools, arbors and terraces.</i> Are both listed as permitted Accessory Uses	Structures are subject to the same requirements of other accessory structures/buildings.
<b>Robbinsdale</b>	No. Greenhouses are listed under permitted accessory uses in R districts, Non-Commercial Agriculture is a conditional use in R districts.  Trellises are only mentioned as allowed encroachments into rear yard setbacks.	Greenhouses subject to the same restrictions as other accessory structures.  No other language regarding Trellis/Arbors
<b>Crystal</b>	No. Arbors, garden decorations and Pergolas are listed under “small accessory uses”	<i>“Small accessory uses such as arbors, benches, doghouses, play sets, garden decorations, pergolas, and firewood cribs are exempt from the provisions of this subsection, but cannot be located in public rights-of-way.”</i>

The closest approximation to the initial intent of the 2010 amendment comes from the City of Crystal’s code for accessory uses and structures. In this section, they exempt a number of “small accessory uses” including arbors, benches, pergolas, firewood cribs, and garden decorations. The only rule for these small accessory uses is that they cannot be placed in the public right-of-way. There is no defined height or scale for what constitutes a small accessory use. The intent is to allow greater flexibility for structures that are incidental, decorative, or unobtrusive.

In looking to amend our own the code, staff sees two potential avenues to address the issue of structures as screening.

- Amend the definition to more clearly indicate it refers to open and unroofed structures to avoid confusion as to whether it includes fencing or greenhouses
- In the R-1 and R-2 sections covering garden structures, create a set of lower standards for garden structures under 4 or 5 ft. in height, and potentially set a length or opacity limit for taller structures to prevent their use dominating a landscape.

Potentially amending just the definition to be more clear about these being open structures could solve the issue of these being used to provide screening between properties.

From § 113-1. – *Definitions:*

*Garden Structure: A permanent outdoor fireplace or grill, or a freestanding or attached structure such as a pergola or arbor, which serves a primarily aesthetic purpose customarily incidental to the principal structure. Garden structures do not include greenhouses, gazebos or fencing.*

If Planning Commission did wish to also set stricter standards for the regulation of taller structures, a maximum length is probably the most universally applicable requirement to set. Typically screening is controlled by its overall opacity, but this could be difficult to determine for some types of structures (how do you, or do you even, calculate opacity for an arbor?) and might just create unnecessary confusion for residents. Staff would suggest language along the lines of “No side of the garden structure shall exceed 15 ft. in length” be added to the relevant sections of the R-1 and R-2 zoning districts.

**Recommendation**

This is a discussion item and as such, no vote or recommendation is required. Staff is only looking for feedback and direction from Commissioners at this time.